

COPY

COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

CITY OF CINCINNATI  
PLAINTIFF

-- VS --

Use below number on  
all future pleadings

No. A 2303015  
SUMMONS

BOWLIN GROUP LLC  
DEFENDANT

BOWLIN GROUP LLC  
% CORPORATION SERVICE COMPANY  
421 W MAIN STREET  
FRANKFORT KY 40601

D - 1

You are notified  
that you have been named Defendant(s) in a complaint filed by

CITY OF CINCINNATI  
801 PLUM STREET RM 214  
CINCINNATI OH 45202

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,  
**PAVAN PARIKH, 1000 MAIN STREET ROOM 315,**  
**CINCINNATI, OH 45202.**

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney  
JOHANNA HUTCHINS  
801 PLUM STREET ROOM 214  
CINCINNATI OH 45202

PAVAN PARIKH  
Clerk, Court of Common Pleas  
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: July 18, 2023



D138730128



**PAVAN PARIKH  
HAMILTON COUNTY CLERK OF COURTS**

**COMMON PLEAS DIVISION**

**ELECTRONICALLY FILED**

**July 17, 2023 01:45 PM**

**PAVAN PARIKH**

**Clerk of Courts**

**Hamilton County, Ohio**

**CONFIRMATION 1345363**

**CITY OF CINCINNATI**

**A 2303015**

**vs.**

**BOWLIN GROUP LLC**

**FILING TYPE: INITIAL FILING (IN COUNTY) WITH NO JURY  
DEMAND**

**PAGES FILED: 24**

**IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO**

<b>CITY OF CINCINNATI</b>	:	
<b>801 Plum Street Rm. 214</b>	:	<b>CASE NO.</b>
<b>Cincinnati, Ohio 45202</b>	:	
	:	<b>JUDGE</b>
<b>Plaintiff,</b>	:	
	:	<b>COMPLAINT FOR MONEY</b>
<b>v.</b>	:	<b>DAMAGES</b>
	:	
<b>BOWLIN GROUP, LLC</b>	:	<b>(\$258,446.75)</b>
<b>12200 CHANDLER DRIVE</b>	:	
<b>WALTON, KY 41094</b>	:	
	:	
<b>Also serve:</b>	:	
<b>Corporation Service Company</b>	:	
<b>421 West Main Street</b>	:	
<b>Frankfort, KY 40601</b>	:	
<b>Defendant</b>	:	

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Now comes Plaintiff City of Cincinnati, and for its Complaint against Defendant, Bowlin Group, LLC, states as follows:

**THE PARTIES**

1. Plaintiff City of Cincinnati is a home-rule municipal corporation chartered under Article XVIII, Section 7 of the Ohio Constitution and acting pursuant to the Charter of the City of Cincinnati, through its City Solicitor. The City is located in Hamilton County, Ohio.

2. The Defendant, upon information and belief, is a limited liability company established under the laws of the Commonwealth of Kentucky, with its principal place of business at 12200 Chandler Drive, Walton, KY 41094, and operates as utility construction and excavation service in Ohio.

## FACTS

3. In June of 2019, Defendant was performing construction activities for a non-party utility company, Duke Energy, in the area of 644 Crown Street, a project completely unrelated to any project of the Plaintiff's.
4. Prior to beginning the construction project, Defendant submitted a request through Ohio Utilities Protection Service for local utility companies to mark their assets. Attached as Exhibit A is the Ticket Detail Report.
5. Plaintiff marked its asset (a 42" water main), at 644 Crown Street, as depicted on the photographs attached as Exhibit B.
6. While performing their construction work, Defendant struck and punctured the 42" water main at Crown Street owned by the Plaintiff. See Exhibit C, the call log admitting to the puncture by the Defendant and Exhibit D, the punctured pipe.
7. The 42" punctured water main at Crown Street owned by the Plaintiff required both a short-term immediate repair in 2019 and ultimately a permanent repair in 2023.
8. As a result of Defendant puncturing the 42" water main at Crown Street, Plaintiff was forced to take this water main out of service for some time.
9. With the 42" water main at Crown Street out of service, Plaintiff had to deny another local utility (Metropolitan Sewer District) their request to have a separate water main (on Dana Avenue) taken out of service.

10. Plaintiff's denial to turn off the Dana Avenue main caused a delay to Metropolitan Sewer District's project.

11. Metropolitan Sewer District invoiced and received payment from Defendant Bowlin for this delay. Attached as Exhibit E is the payment stub reflecting payment.

COUNT ONE  
NEGLIGENCE

12. Plaintiff incorporates paragraphs 1-11 of this Complaint as if fully restated herein.

13. Defendant owed Plaintiff a duty to exercise reasonable care during Defendant's construction project to avoid damaging Plaintiff's property.

14. Defendant breached this duty of care when Defendant struck and punctured Plaintiff's Crown Street 42" water main.

15. As a direct and proximate result of Defendant's negligence, Plaintiff sustained damage to the water pipe.

16. In 2019 Plaintiff incurred damages to temporarily repair the damaged pipe in the amount of \$43,296.75. See attached Exhibit F.

17. In 2023 Plaintiff incurred damages to permanently repair the damaged pipe in the amount of \$215,150.00. See attached Exhibit G.<sup>1</sup>

18. Despite Plaintiff's demand for payment, Defendant refuses to pay the same.

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<sup>1</sup> The permanent repair (which included replacing the damaged part of the pipe) was delayed intentionally to fit in with a capital improvement project in 2023. The scope of the replacement extended beyond the temporary repair from the damage in 2019 was estimated to be 1/3 of the total cost of the that part of the project.

**COUNT TWO**  
**BREACH OF IMPLIED WARRANTY**

19. Plaintiff incorporates paragraphs 1-18 of this Complaint as if fully restated herein.

20. Defendant had a duty to perform its construction work in a workmanlike manner, acting reasonably and exercising the degree of care and skill which a member of the construction trade in good standing in the community would exercise under the same or similar circumstances.

21. Defendant breached its implied warranty of workmanlike skill to Plaintiff by failing to excavate in a reasonable manner and protect the 42" water main.

22. As a direct and proximate result of Defendant's breach of its implied warranty, Plaintiff sustained damage to the 42" water main.

23. In 2019 Plaintiff incurred damages to temporarily repair the damaged pipe in the amount of \$43,296.75. See attached Exhibit F.

24. In 2023 Plaintiff incurred damages to permanently repair the damaged pipe in the amount of \$215,150.00. See attached Exhibit G. See footnote 1.

25. Despite Plaintiff's demand for payment, Defendant refuses to pay the same.

**WHEREFORE**, Plaintiff demands the following relief:

1. Damages against Defendant Bowlin Group, under Count I and Count II in the amount of \$258,446.75, and
2. Any other and further relief to which this Court deems Plaintiff to be entitled to either at law or in equity.

Respectfully submitted,

**EMILY SMART WOERNER (0089349)**  
**City Solicitor**

/s/ Johanna Hutchins  
Johanna Hutchins (0069759)  
Assistant City Solicitor  
801 Plum Street, Room 214  
Cincinnati, Ohio 45202  
Phone: (513) 352-3334  
Johanna.hutchins@cincinnati-oh.gov  
*Counsel for the City*

**TO THE CLERK;**

**ORDINARY MAIL WAIVER SERVICE REQUESTED**

# Ticket Detail Report



Ticket Number A917603635

Ticket Number	Message Type	Previous Ticket	Sequence
A917603635	ROUT NEW POLY L	N/A	166

## Work Information

**Work Address**  
**Intersection**  
 CROWN ST DIX ST  
 CINCINNATI, OH HAMILTON

**Duration**  
 N/A

**Work Date** 6/27/2019 3:00:00 PM      **Expiration Date** N/A

<b>Nature of Work</b>	INSTALL 1 ANCHOR AND	<b>Explosives</b>	No
<b>White Paint</b>	Yes	<b>Right of Way</b>	No
<b>Mapsco</b>	3907	<b>Boring</b>	No
<b>Done For</b>	DUKE ENERGY	<b>Legal Given</b>	No

<b>Meet Date</b>	N/A	<b>Mobile ID</b>	EAST
<b>Project</b>	No	<b>Map No</b>	3907300
<b>Status</b>	COMPLETED	<b>Zone ID</b>	EAST
<b>Depth</b>	N/A	<b>Map Ref</b>	3907

<b>Transmit Date</b>	6/25/2019 2:42:05 PM	<b>Due Date</b>	6/27/2019 3:00:00 PM
<b>Original Call Date</b>	6/25/2019 2:35:00 PM	<b>Assigned Date</b>	6/26/2019 9:16:39 AM
<b>Send Date</b>	6/26/2019 9:17:21 AM	<b>Work to Begin Date</b>	6/27/2019 3:00:00 PM

## Work Location

CROSS 1 : DIX ST

RAIL/HWY: MILEMARKER(S):

WHERE : NORTH SIDE OF STREET -- 1ST IS LOCATION IS ACROSS FROM THE

EXHIBIT AE

1 / 4

INTERSECTION OF DIX ST AT POLE # P9-232E -- MARKING A 30 FT RADIUS  
 AROUND THE POLE ---2ND LOCATION IS THEN FROM THAT POINT HEADING WEST  
 FOR 94 FT AT POLE # P9-231E -- MARKING A 80 FT RADIUS AROUND THE POLE  
 BOTH POLES ARE MARKED WITH WHITE X AND ROAD IS MARKED WITH WHITE  
 ARROW AND STATING POLE -  
 FARDEST POINT OFF ROAD: WITHIN 90 FT

**Company Information**

<b>BOWLIN ENERGY</b>	<b>Contact</b>	<b>Contact Phone</b>
12200 CHANDLER DR WALTON, KY 41094	MICHAEL MATISZ	859-308-8329
	<b>Contact Email</b>	

**Company Phone****Company Fax**

BNOEL@BOWLINGROUP.COM

**Callback**

N/A

N/A

N/A

**Alt Phone****Alt Contact**

SAME AS ABOVE

N/A

**Location Points**

LATLONG	39.12807300000	-84.49722900000	DIG BOX
LATLONG	39.12780200000	-84.49502800000	DIG BOX
LATLONG	39.12670400000	-84.49516400000	DIG BOX
LATLONG	39.12697500000	-84.49736400000	DIG BOX
LATLONG	39.12689500000	-84.49669900000	POLYGON
LATLONG	39.12692100000	-84.49683300000	POLYGON
LATLONG	39.12696600000	-84.49695900000	POLYGON
LATLONG	39.12703000000	-84.49707000000	POLYGON
LATLONG	39.12711000000	-84.49716300000	POLYGON
LATLONG	39.12720200000	-84.49723500000	POLYGON
LATLONG	39.12730300000	-84.49728200000	POLYGON
LATLONG	39.12740900000	-84.49730300000	POLYGON
LATLONG	39.12751700000	-84.49729700000	POLYGON
LATLONG	39.12762200000	-84.49726400000	POLYGON
LATLONG	39.12771900000	-84.49720600000	POLYGON
LATLONG	39.12780600000	-84.49712400000	POLYGON
LATLONG	39.12787900000	-84.49702200000	POLYGON
LATLONG	39.12793400000	-84.49690300000	POLYGON

LATLONG	39.12797100000	-84.49677300000	POLYGON
LATLONG	39.12798700000	-84.49663700000	POLYGON
LATLONG	39.12798300000	-84.49649900000	POLYGON
LATLONG	39.12786700000	-84.49555700000	POLYGON
LATLONG	39.12782100000	-84.49543200000	POLYGON
LATLONG	39.12775700000	-84.49532100000	POLYGON
LATLONG	39.12767800000	-84.49522700000	POLYGON
LATLONG	39.12758600000	-84.49515600000	POLYGON
LATLONG	39.12748500000	-84.49510900000	POLYGON
LATLONG	39.12737800000	-84.49508800000	POLYGON
LATLONG	39.12727100000	-84.49509400000	POLYGON
LATLONG	39.12716600000	-84.49512700000	POLYGON
LATLONG	39.12706800000	-84.49518500000	POLYGON
LATLONG	39.12694400000	-84.49530400000	POLYGON
LATLONG	39.12687500000	-84.49541100000	POLYGON
LATLONG	39.12682400000	-84.49553300000	POLYGON
LATLONG	39.12679300000	-84.49566500000	POLYGON
LATLONG	39.12678300000	-84.49580300000	POLYGON
LATLONG	39.12689500000	-84.49669900000	POLYGON
MAPGRID	3907300842930		

**Occ Map Link**

[http://newtina.oups.org/newtinweb/map\\_tkt.nap?TRG=6FuCmHk9nAkAf8p0m2I](http://newtina.oups.org/newtinweb/map_tkt.nap?TRG=6FuCmHk9nAkAf8p0m2I)

**Additional Members**

CBT CNWPST CNWPW CZA CZCP CZD DUEP DUGP DUGPTG

**OCC Remarks**

DONE BY:

WHITELINED: Y BLASTING: N

MEANS OF EXCAVATION: DIGGER TRUCK

START BY : 07/10/19 02:50 PM RESPONSE DUE: 06/27/19 02:50 PM

**Dispatcher Notes****Audit Trail**

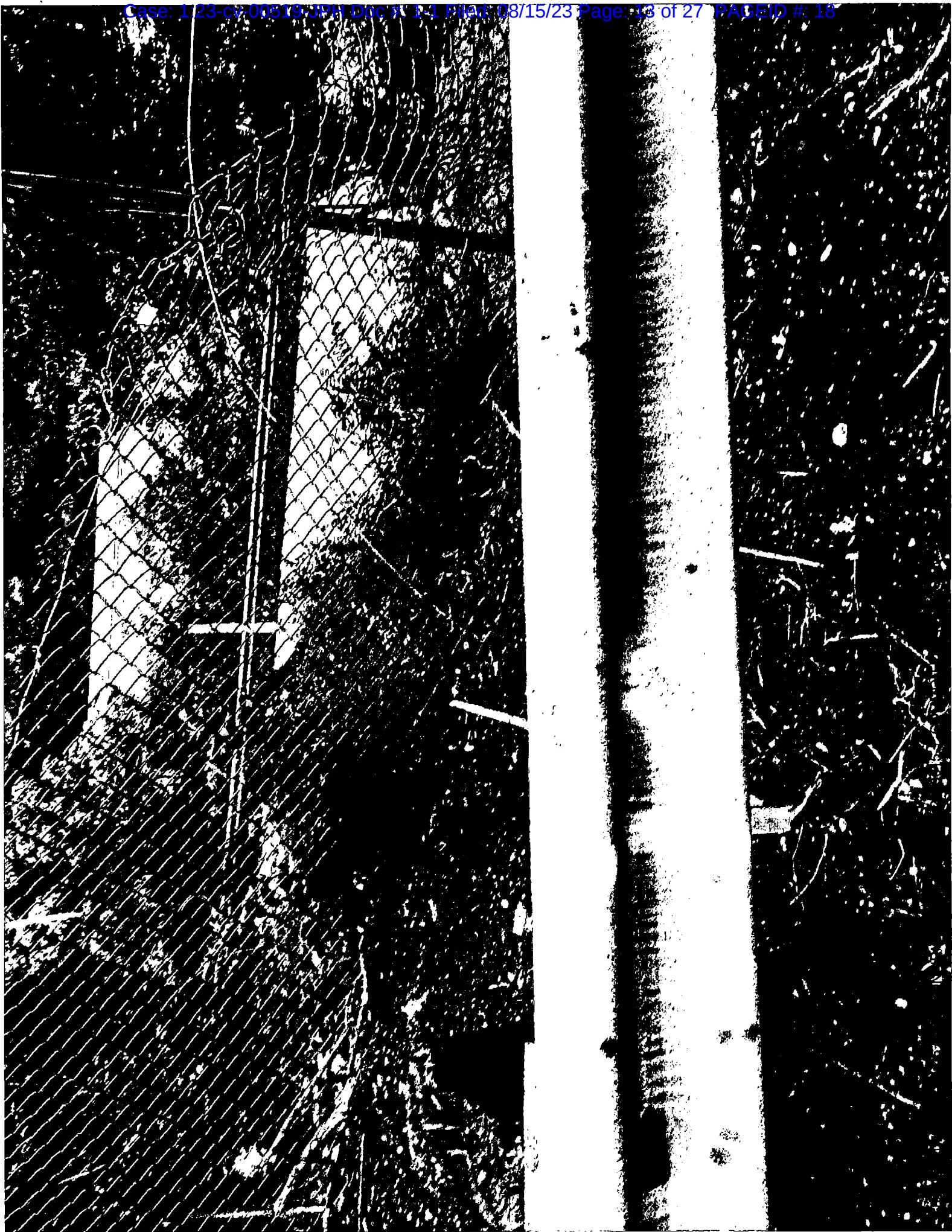
Application	Date/Time	Operator	Detail	From	To
Dispatch	6/26/2019	LOCATOR	Complete visit	EAST	DISPATCH
Dispatch	6/26/2019	RECEIVER	Receive ACK of ticket	EAST	DISPATCH
Completion	6/26/2019		CNWPW Sent: 002,	DISPATCH	OHC
KORWEB	6/26/2019	MRENTSCHLER	Send new ticket	EAST	EAST
KorTerra Usher	6/25/2019	USHER	Auto send disabled for USHER		EAST

**Attachments**

File	Created By	Source	Attached Date	Notes
* No attachment records available on ticket				
<b>Driver Activity Log</b>				
S on 6/26/2019 12:00:00 AM10:22:08.481 by driver LOCATOR in mobile EAST				
A on 6/26/2019 12:00:00 AM10:22:14.224 by driver LOCATOR in mobile EAST				
C on 6/26/2019 12:00:00 AM10:22:14.399 by driver LOCATOR in mobile EAST				
<b>Completion</b>				<b>CUSTOM2 WORK FOR CNWPW</b>
<b>Department</b>	<b>Creation Date</b>	<b>Completion Date</b>	<b>Type</b>	
N/A	6/26/2019 10:22:14 AM	6/26/2019 10:22:14 AM	CUSTOM2	
<b>Operator</b>	<b>Mobile ID</b>		<b>Positive Response</b>	
LOCATOR	EAST		002-MARKED	
<b>Internal Remarks</b>				
N/A				
<b>External Remarks</b>				
N/A				
<b>Facility Code</b>	<b>Work Performed</b>		<b>Action Code</b>	
WATER - N/A	Marked		N/A	



EXHIBIT B.





KorTerra - A922404505

<https://login.korterra.net/Print>

CNWP 00240 QUPSA 08/12/19 17:34:39 A922404505-00A EMER NEW POLY DGIN

Ticket : A922404505 Rev: 00A Taken: 08/12/19 05:33 PM Channel: OPR  
 Old Tkt: A917603635 Taken: 06/25/19 02:41 PM

State: OH Cnty: HAMILTON Place: CINCINNATI

Address : Street: CROWN ST

Cross 1 : DIX ST

Rail/Hwy: Milemarker(s):

Where : NORTH SIDE OF STREET -- 1ST IS LOCATION IS ACROSS FROM THE  
 : INTERSECTION OF DIX ST AT POLE # P9-232E -- MARKING A 30 FT RADIUS  
 : AROUND THE POLE ---2ND LOCATION IS THEN FROM THAT POINT HEADING WEST  
 : FOR 94 FT AT POLE # P9-231E -- MARKING A 80 FT RADIUS AROUND THE POLE  
 :  
 : BOTH POLES ARE MARKED WITH WHITE X AND ROAD IS MARKED WITH WHITE  
 : ARROW AND STATING POLE -  
 : FARDEST POINT OFF ROAD: WITHIN 90 FT

WorkType: INSTALL 1 ANCHOR AND REPLACE BOTH POLES

Done for: DUKE ENERGY

Done by :

Whitelined: Y Blasting: N

Means of Excavation: DIGGER TRUCK

Dig In : WATER

Work date: 08/12/19 05:33 PM

Start by : 08/26/19 05:48 PM Response Due: 08/14/19 05:48 PM

Best Fit: 39.128073/-84.497229 39.127802/-84.495029  
 : 39.126975/-84.497364 39.126704/-84.495164

Comments: CUSTOMER ADVISES THEY HAVE NICKED A MARKED WATER LINE  
 : PLEASE RESPOND ASAP!  
 : CREW IS ON SITE  
 : @ 633 CROWN ST

Caller : MICHAEL MATISZ	Phone: 859-308-8329
Company : BOWLIN ENERGY	Type: CONT
Co addr : 12200 CHANDLER DR	
City : WALTON	St: KY Zip: 41094
Alt Tel#: 859-308-8329	
Alt cont: SAME AS ABOVE	Phone:
Email: BNOEL@BOWLINGROUP.COM	

Grids : 3907300842930  
 Polygon : 39.126895/-84.496699 39.126921/-84.496833  
 : 39.126966/-84.496959 39.127030/-84.497070  
 : 39.127110/-84.497163 39.127202/-84.497235  
 : 39.127303/-84.497282 39.127409/-84.497303  
 : 39.127517/-84.497297 39.127622/-84.497264  
 : 39.127719/-84.497206 39.127806/-84.497124  
 : 39.127879/-84.497022 39.127934/-84.496903  
 : 39.127971/-84.496773 39.127987/-84.496637  
 : 39.127983/-84.496499 39.127867/-84.495557  
 : 39.127821/-84.495432 39.127757/-84.495321  
 : 39.127678/-84.495227 39.127586/-84.495156  
 : 39.127485/-84.495109 39.127378/-84.495088  
 : 39.127271/-84.495094 39.127166/-84.495127  
 : 39.127068/-84.495185 39.126944/-84.495304  
 : 39.126875/-84.495411 39.126824/-84.495533  
 : 39.126793/-84.495665 39.126783/-84.495803  
 : 39.126895/-84.496699

Members:

CBT =CINCINNATI BELL

CNWPST =CINCINNATI STORM SEWER

EXHIBIT C

EF FILED  
07/17/2023 14:55

2023 MAR 15 / COMMON PLEAS DIVISION

EXHIBIT

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CITY OF CINCINNATI  
 METROPOLITAN SEWER DISTRICT  
 1600 GEST STREET  
 CINCINNATI OH 45204

VENDOR NUMBER	VENDOR NAME			CHECK NO.	
104803	CITY OF CINCINNATI			4796	
INV. DATE	INVOICE NO.	DESCRIPTION	GROSS	DISCOUNT	NET
10/28/2019	102819	BG-20192500 JOB #48073	12,305.37		12,305.37
<b>CLAIM #: BG-20192500      DOI: 08/12/2019      DIV: BG-WILDER</b> <b>FULL AND FINAL SETTLEMENT OF ALL CLAIMS FOR PROPERTY DAMAGE TO GCW CROWN</b> <b>STREET 48" WATERMAIN REPAIR DELAY TO MSDGC SEWER REPAIR PROJECT.</b>					
DETACH AND RETAIN THIS STATEMENT THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED ABOVE IF NOT CORRECT PLEASE NOTIFY US PROMPTLY.			TOTALS		\$12,305.37

EXHIBIT F

**INVOICE**

Page: 1

4996

**4747 Spring Grove Ave.**  
**Cincinnati, Ohio 45232-1986**  
**A Service of the City of Cincinnati**  
**513-591-7700**

Bill To:
BOWLIN GROUP 12200 CHANDLER DRIVE ATTN: GLEN SIZEMORE WALTON, KY 41094

Invoice Date:
5/17/21
Due Date:
6/7/21
Premises:
644 CROWN STREET CINCINNATI, OH

Quantity	Description	Unit Price	Amount
1.00	COMPENSATION FOR DAMAGES	43,296.75	43,296.75

Sales Tax	
Payment/Credit Applied	
<b>Total Amount Due</b>	<b>\$ 43,296.75</b>

PLEASE KEEP THIS PORTION FOR YOUR RECORDS

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

**4747 Spring Grove Ave.**  
**Cincinnati, Ohio 45232-1986**  
**A Service of the City of Cincinnati**

Invoice Number	Due Date:	Total Amount Due
4996	6/7/21	\$ 43,296.75

Amount Paid: \$ \_\_\_\_\_  
 Please make check payable to:GCWW

Mail Payment to:  
 Greater Cincinnati Water Works  
 Attn: Cashier  
 4747 Spring Grove Ave  
 Cincinnati, OH 45232-1986

**BOWLIN GROUP**  
**12200 CHANDLER DRIVE**  
**ATTN: GLEN SIZEMORE**  
**WALTON, KY 41094**

\*Payment cannot be processed at GCWW's PO Box address

**INVOICE**

*Fred A. Nemann Co.*



FRED A. NEMANN  
PRESIDENT

6480 BENDER ROAD, SUITE A

CINCINNATI, OHIO 45233

September 14, 2020

PHONE: (513) 467-8400

FAX: (513) 467-0510

**SOLD TO**

Greater Cincinnati Water Works  
4747 Spring Grove Avenue  
Cincinnati, OH 45232

**RE: MAINTENANCE & CONST. OF WATER  
DISTRIBUTION SYST. & APPURTENANCES**  
Invoice No. S-1366-49A  
DO: 3042021000067

**JOB NAME: "CROWN STREET"**

**TOTAL AMOUNT DUE THIS INVOICE: \$ 12,480.00**

Invoice Date: 9/14/2020  
 Invoice No: S-1366-49A  
 Contract No: 181W006030  
 DO: 3042021000067

Dept. Receiving Goods or Services

Greater Cincinnati Water Works  
 4747 Spring Grove Ave  
 Cincinnati, OH 45232

Remit to:  
 Fred A. Nemann Co.  
 6480 Bender Road  
 Cincinnati, OH 45233

<u>WORK ORDER</u>	<u>CONTRACTOR</u>	<u>Number of</u>	<u>Date Work</u>	<u>Amount Due</u>
<u>NO.</u>	<u>LINE ITEM</u>	<u>Hours</u>	<u>Performed</u>	
1339086-2958	55	-	9/9/2020	\$ 8,680.00
1339086-2958	56	12	9/9/2020	\$ 1,200.00
1339086-2958	57	4	9/9/2020	\$ 600.00
1339086-2958	58	10	9/9/2020	\$ 2,000.00

Total Amount Due This Invoice \$ 12,480.00

**INVOICE**

*Fred A. Nemann Co.*



FRED A. NEMANN  
PRESIDENT

6480 BENDER ROAD, SUITE A

CINCINNATI, OHIO 45233

December 31, 2019

PHONE: (513) 467-9400

FAX: (513) 467-0510

**SOLD TO**      Greater Cincinnati Water Works  
                  4747 Spring Grove Avenue  
                  Cincinnati, OH 45232

**RE: Emergency Repair &  
Maintenance of Water Main  
Job No. S-1340  
Invoice No. 1340-14  
DO: 3042020000769**

**PROJECT NAME: REPAIR 48" Water Main on Crown Avenue**

**CONTRACT NO. 161R025169  
BID REFERENCE NO.: 161R905169**

**TOTAL AMOUNT DUE THIS INVOICE:                    \$23,096.23**

**CROWN AVE 48" WATER MAIN REPAIR**

<u>Item No.</u>	<u>Quantity</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total</u>
1		Foreman's Rate	\$ 47.09	
2		Foreman's Overtime Rate (After 8 Hrs. & Saturday)	\$ 64.62	
3		Foreman's Overtime Rate (Sunday & Holiday)	\$ 64.62	
4		Foreman's OH & Profit	50%	
5		Working Foreman's Rate	\$ 43.75	
6		Working Foreman's Overtime Rate (After 8 Hrs. & Saturday)	\$ 59.61	
7		Working Foreman's Overtime Rate (Sunday & Holiday)	\$ 59.61	
8		Working Foreman's OH & Profit	20%	
9		Standard Crew Rate	\$ 299.21	
10		Standard Crew Rate (After 8 Hrs. & Saturday)	\$ 347.75	
11		Standard Crew Rate (Sunday & Holiday)	\$ 347.75	
12		Laborer's Rate	\$ 46.15	
13		Laborer's Overtime Rate (After 8 Hrs. & Saturday)	\$ 61.01	
14		Laborer's Overtime Rate (Sunday & Holiday)	\$ 61.01	
15		Operator's Rate	\$ 51.22	
16		Operator's Overtime Rate (After 8 Hrs. & Saturday)	\$ 69.17	
17		Operator's Overtime Rate (Sunday & Holiday)	\$ 69.17	
18		Truck Driver's Rate	\$ 42.15	
19		Truck Driver's Overtime Rate (After 8 Hrs. & Saturday)	\$ 57.01	
20		Truck Driver's Overtime Rate (Sunday & Holiday)	\$ 57.01	

21	<b>Laborer, Operator, Truck Driver (OH &amp; Profit)</b>	50%	
22	Dump Truck	\$	50.00
23	Back Hoe	\$	50.00
23.1	Track Hoe	\$	75.00
23.2	Mobilization Cost for Track Hoe	\$	350.00
24	Hoe Ram (Do not include Back Hoe or Air Compressor Cost)	\$	10.00
25	Air Compressor w/Tools	\$	5.00
26	Pump	\$	5.00
27	Generator and Work Lights	\$	5.00
28	Service Truck/Foreman's Vehicle	\$	2.00
29	Materials	\$	17,766.33
30	Materials, Handling, Delivery OH & Profit	30% \$	5,329.90
31	<b>Additional Equipment &amp; Subcontractors</b>		
	<b>TOTAL AMOUNT DUE THIS INVOICE</b>	<b>\$</b>	<b>23,096.23</b>

**DISTRIBUTION DIVISION**  
**BILL OF COST**

**LOCATION: 644 CROWN STREET  
CINCINNATI, OHIO**

**DESCRIPTION: CONTRACTOR HIT 48 INCH WATER MAIN 8/12/2019**

**REPAIR: GCWW AND FRED A. NEMANN, CO. REPAIRED WATER MAIN DAMAGE**

**TO BE BILLED: BOWLIN GROUP**

**ATTN: GLEN SIZEMORE**

**12200 CHANDLER DRIVE**

**WALTON, KY 41094**

**GENERAL FOREMAN: ROBERT SPEARS**

..... **TOTAL AMOUNT BILLED:** \$43,296.75

**LABOR**

EMPLOYEE	DATE	REGULAR HOURS	OT HOURS	RATE	SUBTOTAL	OT RATE	TOTAL
GCWW Valve Operator 2	8/12/2019	2.5	0	\$ 44.09	\$110.23	\$0.00	\$110.23
GCWW Valve Operator	8/12/2019	2.5	0	\$ 40.74	\$101.85	\$0.00	\$101.85
GCWW Crew Leader (2)	8/13/2019	8	5.5	\$ 52.04	\$416.32	\$572.44	\$1,977.52
GCWW Motor Equipment Operator 2	8/13/2019	8	0	\$ 46.70	\$373.60	\$0.00	\$373.60
GCWW Motor Equipment Operator	8/13/2019	0	5.5	\$ 43.36	\$0.00	\$476.96	\$476.96
GCWW Maintenance Worker (2)	8/13/2019	8	5.5	\$ 40.74	\$325.92	\$448.14	\$1,548.12
GCWW Maint. Field Supervisor	8/13/2019	16	0	\$ 58.58	\$937.28	\$0.00	\$937.28
GCWW Valve Operator 2 (2)	8/20/2019	2.5	0	\$ 44.09	\$110.23	\$0.00	\$220.45
GCWW Valve Operator	8/20/2019	2.5	0	\$ 40.74	\$101.85	\$0.00	\$101.85
							\$5,847.86
Administrative Support Charge							\$537.77
					<b>SUBTOTAL: LABOR</b>		<b>\$6,385.62</b>

EQUIPMENT	DATE	HOURS	RATE		TOTAL
Valve Truck w/Turning Machine	8/12/2019	3	\$	10.78	\$32.34
W.W.Crew Truck	8/13/2019	14	\$	8.60	\$120.40
Air Compressor	8/13/2019	14	\$	10.78	\$150.92
Backhoe	8/13/2019	14	\$	30.24	\$423.36
Tandem Dump Truck	8/13/2019	14	\$	14.14	\$197.96
Small Dump Truck	8/13/2019	8	\$	10.30	\$82.40
Crew Truck	8/13/2019	8	\$	8.60	\$68.80
Air Compressor	8/13/2019	8	\$	10.78	\$86.24
Large Pick-up Truck	8/13/2019	14	\$	5.07	\$70.98
Valve Truck w/Turning Machine	8/20/2019	4	\$	10.78	\$43.12
Valve Truck	6/20/2020	3	\$	6.96	\$20.88

**SUBTOTAL: EQUIPMENT** \$1,297.40

ksb/Crown Street  
5/10/2021

## DISTRIBUTION DIVISION

## BILL OF COST

MATERIALS	INV #	AMOUNT	UNIT	COST	TOTAL
Miscellaneous Materials (Polywrap, Short Blocks, Long Blocks, Wooden Wedges, etc)					\$37.50
				SUBTOTAL: MATERIAL	\$37.50

## CONTRACTED SERVICES

FRED A NEMANN CO. 12/31/2019 INVOICE ATTACHED	\$23,096.23
FRED A NEMANN CO. 9/14/2020 INVOICE ATTACHED	\$12,480.00

.....  
SUMMARY TOTAL

\$43,296.75

ksb/Crown Street  
5/10/2021

**Package A - General Construction**

Consists of all work shown, specified and required to complete the Project, except that specifically assigned to the other Contractors in Package B.

Item	Spec	Est Qty.	Unit	Description	Allowance	Unit Cost (Labor)	Unit Cost (Material)	Extended Total
1	1101	136.00	Lin Ft	Furnishing and Laying 4" Double Iron Pipe and Fittings	\$175.00	\$175.00	\$47,500.00	
2	1101	830.00	Lin Ft	Furnishing and Laying 6" Double Iron Pipe and Fittings	\$98.00	\$98.00	\$142,760.00	
3	12.941	00	Lin Ft	Furnishing and Laying 8" Double Iron Pipe and Fittings	\$104.00	\$100.00	\$2,588.00	
4	1101	2,620.03	Lin Ft	Furnishing and Laying 12" Double Iron Pipe and Fittings	\$125.00	\$125.00	\$325,000.00	
5	1101	331.00	Lin Ft	Furnishing and Laying 48" Pre-Stressed Concrete Culvert Pipe	\$975.00	\$975.00	\$945,450.00	
6	1101	2.50	Ton	Hauling Water Works Material				
7	1102	100.00	Cu Yds	Concrete, Class "C"				
8	1110	50.00	Each	Hauling and Installing Fire Hydrant	\$0.01	\$0.01	\$2.00	
9	1112	33.00	Each	Reinstalling Fire Hydrant	\$2,400.00	\$0.00	\$120,000.00	
	1114				\$250.00	\$0.00	\$8,250.00	

EXHIBIT G

PAVAN PARIKH  
COUNTY COURT HOUSE ROOM  
315  
1000 MAIN STREET  
CINCINNATI OH 45202  
A 2303015 D 1

Case: 1:23-cv-00519-JPH Doc #: 1-1 Filed: 08/15/23 Page: 27 of 27 PAGEID #: 008.86

neopost®  
#7/18/23  
US POSTAGE \$008.86<sup>0</sup>

# CERTIFIED MAIL



7194 5168 6310 0993 0583

07/18/2023 SUMMONS & COMPLAINT  
BOWLIN GROUP LLC  
% CORPORATION SERVICE COMPANY  
421 W MAIN STREET  
FRANKFORT KY 40601

ZIP 45202  
041L12204677